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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,792	03/04/2004	Kia Silverbrook	ZE030US	5738
	7590 01/20/201 K RESEARCH PTY L	EXAMINER		
393 DARLING STREET			LIPMAN, JACOB	
BALMAIN, 2041 AUSTRALIA			ART UNIT	PAPER NUMBER
			2434	
			NOTIFICATION DATE	DELIVERY MODE
			01/20/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

pair@silverbrookresearch.com patentdept@silverbrookresearch.com uscorro@silverbrookresearch.com

1)⊠ Responsive to communication(s) filed on 30 September 2009. 2a)⊠ This action is FINAL. 2b)□ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 1-5 and 7 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) is/are allowed. 6)☑ Claim(s) 1-5 and 7 is/are rejected. 7)□ Claim(s) is/are objected to. 8)□ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The cath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)☑ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☑ All b)□ Some * ○)□ None of: 1.☑ Certified copies of the priority documents have been received. 2.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.		Application No.	Applicant(s)				
JACOB LIPMAN 2434	Office Action Comments	10/791,792	SILVERBROOK, KIA				
The MALLING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Leateness of time may be evaluated under the provision of 37 CH1 1-130(a). In no event however, may a reply be timely litted ### 15 NO period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifest date of this communication, examination of the provided of the provided period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifestation. #### 15 Period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifestation. #### 15 Period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifestation. ###################################	Oπice Action Summary	Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Exhansors of the may be available under the provious of 3 CFR 1130(b). In a ovent, however, may a reply be timely filed after SIX (8) MCNTHS from the maining date of this communication. Failes to reply visibilities and or calmed plant for imply with by statistic, each explans SIX (8) MCNTHS from the maining date of this communication. Failes to reply visibilities and or calmed plant for imply with by statistic, each explansation to be communication. Plant from the maining date of this communication, even if strolly filed, may reduce any country district than adjustment. See 37 CFR 1.70(b). Status 1) □ Responsive to communication(s) filed on 30 September 2009. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 □ Claim(s) 1-5 and Z islare pending in the application. 4a) Of the above claim(s) islare withdrawn from consideration. 5 □ Claim(s) islare allowed. 6 □ Claim(s) islare allowed. 7 □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9 □ The specification is objected to by the Examiner. 10 □ The drawing(s) filed on islare: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the corrections is required if the drawing(s) objected to. See 37 CFR 1.121(d). 11 □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ Certified copies of the priority documents have been received in Application No							
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Auerbach et al., USPN 5,673,316.

With regard to claims 1 and 7, Auerbach discloses an integrated circuit for the authentication of a consumable storage device (secure cryptographic envelope) by an apparatus (column 1 lines 39-44), the integrated circuit including a memory space which contains encrypted data defined by a MAC applied to data (column 4 lines 25-35) relating to a consumable stored by the device (column 4 lines 9-18), the MAC being constructed of an asymmetric cryptographic function whereby a public key of the apparatus is used to decrypt an encrypted random number (random PEK, column 5 lines 63-64) appended to the data (column 6 lines 1-5) as generated by another integrated circuit of the apparatus (column 5 lines 19-43) and a secret key of the apparatus is used to decrypt encrypted data stored in the memory space (column 10 lines 50-64).

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With regard to claim 2, Auerbach discloses the circuit of claim 1 as outlined above, and further discloses the function is a hash function (column 5 lines 19-35).

With regard to claim 3, Auerbach discloses the circuit of claim 2 as outlined above, and further discloses the hash function is MD5 (column 5 lines 19-20).

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Auerbach in view of examiner's official notice.

With regard to claims 4, Auerbach discloses the circuit of claim 2 as outlined above, and mentions using secure hash algorithms, but does not specify SHA-1 (column 5 lines 29-31). The examiner takes official notice that SHA-1 is a well known secure hash function. It would have been obvious for one of ordinary skill in the art to use SHA-1 as the "other secure hash" of Auerbach for the motivation of increased security.

With regard to claim 5, Auerbach in view of examiner's official notice discloses the circuit of claim 4 as outlined above, and further discloses using temporary registers and rotating counters (column 6 lines 20-27).

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Response to Arguments

5. Applicant's arguments filed 30 September 2009 have been fully considered but they are not persuasive.

6. With regard to applicant's argument that Auerbach does not disclose appending a random number to the data, the examiner points to column 5 line 63-column 6 line 5. Auerbach discloses encrypting the data with a random key (PEK) and appending the key to the data (column 6 lines 1-5). This PEK is not only a random number (column 5 lines 4-7, but is also a secret key used to decrypt the data (column 10 lines 50-64).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACOB LIPMAN whose telephone number is (571)272-3837. The examiner can normally be reached on M-Fr.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jacob Lipman/ Examiner, Art Unit 2434